

**KING & SPALDING**

King & Spalding LLP  
101 Second Street  
Suite 2300  
San Francisco, CA 94105  
Tel: +1 415 318 1200  
Fax: +1 415 318 1300

Joseph R. Wetzel  
Partner  
Direct Dial: +1 415 318 1263  
Direct Fax: +1 415 318 1300  
jwetzel@kslaw.com

January 25, 2018

**VIA CM/ECF FILING**

Mark Langer, Clerk  
United States Court of Appeals for the  
District of Columbia Circuit  
E. Barrett Prettyman United States Courthouse  
333 Constitution Avenue NW  
Room 5205  
Washington, DC 20001-2866

Re: *American Society for Testing and Materials et al. v. Public.Resource.Org. Inc.*,  
Case No. 17-7035 and *American Educational Research Association et al. v.*  
*Public.Resource.Org Inc.*, Case No. 17-7039

Mr. Langer:

The consolidated appeals of the above referenced matters are scheduled to be fully briefed on February 14, 2018. The Court has not yet scheduled oral argument.

I am lead counsel for the American Society of Heating, Refrigerating and Air-Conditioning engineers, which is an appellee in Case No. 17-7035. I write to inform the Court that I will be unavailable for oral argument on the following dates: March 13-16, April 3-6, May 25, and July 2-6. I respectfully request that the Court not schedule oral argument in this matter on these dates.

Regards,

/s/ Joseph R. Wetzel

Joseph R. Wetzel

Cc: All Counsel via CM/ECF